

MAP 104-28-1
 IF
 E.D. 5
 DATE 12-28-85
 200
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 DP

Kenneth P. MacDonald, et ux
 4805 Mt. Carmel Rd., 570' E of Grace Rd.
 4805 Mt. Carmel Rd., 570' E of Grace Rd.
 4805 Mt. Carmel Rd., 570' E of Grace Rd.

86-265-A
 #151

86-265-A
 #151

86-265-A
 #151

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
 The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103-3 & 1A00.3B3 (RDP) To permit a set back to a lot line other than a street, of 25 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Refer to Attached Sheet - Exhibit 1

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Philip J. McWilliams, A.I.A.
 Carol S. McWilliams, A.I.A.
 Signature: *Philip J. McWilliams*
 8408 Birchwood Road
 Address: Baltimore, MD 21234
 City and State: Baltimore, MD 21234

Legal Owner(s): Kenneth P. MacDonald
 Signature: *Kenneth P. MacDonald*
 Name: Gene L. MacDonald
 (Type or Print Name)
 Signature: *Gene L. MacDonald*

Attorney for Petitioner: 3900 Overlea Avenue, 426-0479
 (Type or Print Name) Address Phone No.
 Baltimore, MD 21206
 City and State: Baltimore, MD 21206
 Name, address and phone number of legal owner, contract purchaser or representative to be attached
 Philip J. McWilliams, A.I.A.
 City and State: Baltimore, MD 21234

Attorney's Telephone No.: 8408 Birchwood Road, Baltimore, MD 21234
 Address Phone No.
 (301) 321-6760

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of November, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of January, 1986, at 11:30 o'clock.

MICROFILMED (over)

PETITION FOR VARIANCE
 5th Election District

LOCATION: Southside of Mt. Carmel Road, 570 feet east of Grace Road (4805 Mt. Carmel Road)

DATE AND TIME: Monday, January 6, 1986 at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from Section 103-3 & 1A00.3B3 (RDP) to permit a set back to a lot line other than a street, of 25 feet in lieu of the required 50 feet.

Being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

MICROFILMED

ZONING DESCRIPTION:

Beginning at a point on the South Side of Mt. Carmel Road (formerly Lower Beckleysville Road) 570' + East of Grace Road and known as Lot 7 as shown on the plot of "Graceland Estates", which is recorded in the Land Records of Baltimore County in Liber 40, Folio 54, also known as 4805 Mt. Carmel Road in the 5th Election District.

EXHIBIT 1
 Petition for Zoning Variance
 Graceland Estates
 Lot 7

HARDSHIP DESCRIPTION:

A hardship in incurred due to the existing high water table conditions, which cause the proposed septic field to take on a configuration that limits the proposed buildable area to a 25' by 50' footprint with no building projections or possibilities for future expansion.

By reducing the front yard setback from 50' to 25', a large enough area would then be available to have a functional relationship between the garage and the dwelling. The garage cannot be open to the front property line as stated in the Development's Covenant Agreement; therefore, the access to the garage must be from the side.

MICROFILMED



BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204-2586
 494-4500

PAUL H. REINCKE
 CHIEF

November 21, 1985

Mr. Arnold Jablon
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee

Re: Property Owner: Kenneth P. MacDonald, et ux

Location: S/S Mt. Carmel Road (formerly Lower Beckleysville Road)

Item No.: 151 Zoning Agenda: Meeting of November 5, 1985

Citizens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
 Planning Group Fire Prevention Bureau
 Special Inspection Division

/mb

MICROFILMED



BALTIMORE COUNTY
 DEPARTMENT OF PERMITS & LICENSES
 TOWSON, MARYLAND 21204
 494-3610

December 6, 1985

TED ZALESKI, JR.
 DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
 Office of Planning and Zoning
 Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 151 Zoning Advisory Committee Meeting are as follows:

Property Owner: Kenneth P. MacDonald, et ux
 Location: S/S Mt. Carmel Road (formerly Lower Beckleysville Road)
 District: 5th.

APPLICABLE ITEMS ARE CIRCLED:

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 87-85. The Maryland Code for the Landscaping and Land (A.R.C. 8-1101 - 1980) and other applicable Code and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.
- () Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) of the Baltimore County Building Code.
- H. When filing for a required Change of Use/occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use or to Mixed Use. See Section 215 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill 87-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- J. Comments:

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 West Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Sumner
 By: Charles E. Sumner, Chief
 Building Plans Section

MICROFILMED



BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. HING
 DEPUTY ZONING COMMISSIONER

January 2, 1986

Mr. and Mrs. Kenneth P. MacDonald
 3900 Overlea Avenue
 Baltimore, Maryland 21206

Re: Petition for Variance
 S/S Mt. Carmel Road, 570' E of Grace Rd.
 (4805 Mt. Carmel Road)
 5th Election District
 Kenneth P. MacDonald, et ux. - Petitioners
 Case No. 86-265-A

Dear Mr. and Mrs. MacDonald:

This is to advise you that \$54.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the Office, Room 111, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 016190

DATE 1/6/86 ACCOUNT R-01-615-000

AMOUNT \$54.76

RECEIVED BY Philip J. McWilliams

FOR Information and Retention Per #86-265-A

B. *****

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

RE: PETITION FOR VARIANCE
 S/S Mt. Carmel Rd., 570'
 E of Grace Rd., (4805 Mt.
 Carmel Rd.), 5th Dist.
 KENNETH P. MACDONALD,
 et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 86-265-A

DATE OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 11th day of December, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Kenneth P. MacDonald and Mrs. Gene L. MacDonald, 3900 Overlea Ave., Baltimore, MD 21206, Petitioners; and Philip J. McWilliams, A.I.A., and Carol S. McWilliams, 8408 Birchwood Road, Baltimore, MD 21234, Contract Purchasers.

Peter Max Zimmerman
 Peter Max Zimmerman

MICROFILMED

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of January, 1986, that the herein Petition for Variance(s) to permit a setback to a lot line other than a street, of 25 feet in lieu of the required 50 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ:bg
cc: Mr. and Mrs. Kenneth P. MacDonald
Mr. and Mrs. Philip McWilliams
People's Counsel

ORDER RECEIVED FOR FILING
DATE January 7, 1986
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: December 12, 1985
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-263-A, 86-265-A, and 86-267-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JCH:salm

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 19, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 19, 1985.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising
22.00

PETITION FOR VARIANCE
5th Election District
LOCATION: Southwest of Mt. Carmel Road, 570' East of Grace Road (4805 Mt. Carmel Road).
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, January 6, 1986 at 11:30 a.m.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 1100-3 & 1400-363 (RDP) to permit a setback of a lot line other than a street, of 25 feet in lieu of the required 50 feet, being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Dec. 19, 1985

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 11, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. Kenneth P. MacDonald
3900 Overlea Avenue
Baltimore, Maryland 21206

RE: Item No. 151 - Case No. 86-265-A
Petitioners - Kenneth P. MacDonald, et ux
Variance Petition

Dear Mr. and Mrs. MacDonald:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. Philip J. McWilliams, A.I.A.
8408 Birchwood Road
Baltimore, Maryland 21234

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
111 W. Chesapeake Avenue
Towson, Maryland 21204
410-321
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

DECEMBER 5, 1985

Re: Zoning Advisory Meeting of NOVEMBER 5, 1985
Item # 151 - Kenneth P. MacDonald, et ux
Location: 570' Mt. Carmel Rd. (Formerly
Lower Backleyville Rd.)

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group meeting is required.
- ☐ Forward by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Planning calculations must be shown on the plan.
- ☐ This property contains soils which are defined as wetlands, and construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on [blank].
- ☐ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☐ The property is located in a traffic area controlled by a "g" level intersection as defined by Bill 173-79, and as conditions change are re-evaluated annually by the County Council.
- ☐ Additional comments: [blank]

cc: James Howell

Eugene A. Boser
Chief, Current Planning and Development

PETITION FOR VARIANCE

5th Election District
LOCATION: Southwest of Mt. Carmel Road, 570' East of Grace Road (4805 Mt. Carmel Road).
DATE AND TIME: Monday, January 6, 1986 at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 1100-3 & 1400-363 (RDP) to permit a setback of a lot line other than a street, of 25 feet in lieu of the required 50 feet, being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

86-265-A

APERS OF MARYLAND, INC.

Vol., Dec., 19, 1985

Annexed, Reg. # 124083, P.O. # 72332

SUBSCRIPTIONS: 12/15/85, 12/22/85, 12/29/85, 1/5/86, 1/12/86, 1/19/86, 1/26/86, 2/2/86, 2/9/86, 2/16/86, 2/23/86, 2/30/86, 3/6/86, 3/13/86, 3/20/86, 3/27/86, 4/3/86, 4/10/86, 4/17/86, 4/24/86, 5/1/86, 5/8/86, 5/15/86, 5/22/86, 5/29/86, 6/5/86, 6/12/86, 6/19/86, 6/26/86, 7/3/86, 7/10/86, 7/17/86, 7/24/86, 7/31/86, 8/7/86, 8/14/86, 8/21/86, 8/28/86, 9/4/86, 9/11/86, 9/18/86, 9/25/86, 10/2/86, 10/9/86, 10/16/86, 10/23/86, 10/30/86, 11/6/86, 11/13/86, 11/20/86, 11/27/86, 12/4/86, 12/11/86, 12/18/86, 12/25/86, 1/1/87, 1/8/87, 1/15/87, 1/22/87, 1/29/87, 2/5/87, 2/12/87, 2/19/87, 2/26/87, 3/5/87, 3/12/87, 3/19/87, 3/26/87, 4/2/87, 4/9/87, 4/16/87, 4/23/87, 4/30/87, 5/7/87, 5/14/87, 5/21/87, 5/28/87, 6/4/87, 6/11/87, 6/18/87, 6/25/87, 7/2/87, 7/9/87, 7/16/87, 7/23/87, 7/30/87, 8/6/87, 8/13/87, 8/20/87, 8/27/87, 9/3/87, 9/10/87, 9/17/87, 9/24/87, 10/1/87, 10/8/87, 10/15/87, 10/22/87, 10/29/87, 11/5/87, 11/12/87, 11/19/87, 11/26/87, 12/3/87, 12/10/87, 12/17/87, 12/24/87, 12/31/87, 1/7/88, 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EXHIBIT 3
PETITION FOR ZONING VARIANCE
GRACELAND ESTATES
LOT 7

We the undersigned, and Owners of Lots #4, #5, #6 and #8 of Graceland Estates, Baltimore County, do hereby approve of the proposal which decreases the fifty foot set back to a twenty-five foot set back in the front yard of Lot #7. We understand that this set back change is being petitioned as a zoning variance and do not protest it.

LOT #4

Address
Owners

4801 MT. CARMEL RD. HAMPSTEAD MD 21074
JANET R. SMITH
KENNETH A. SMITH

LOT #5

Address
Owners

4125 MT. Carmel Rd. Hampstead MD 21074
Stanley J. Bye Anna May Bye

LOT #6

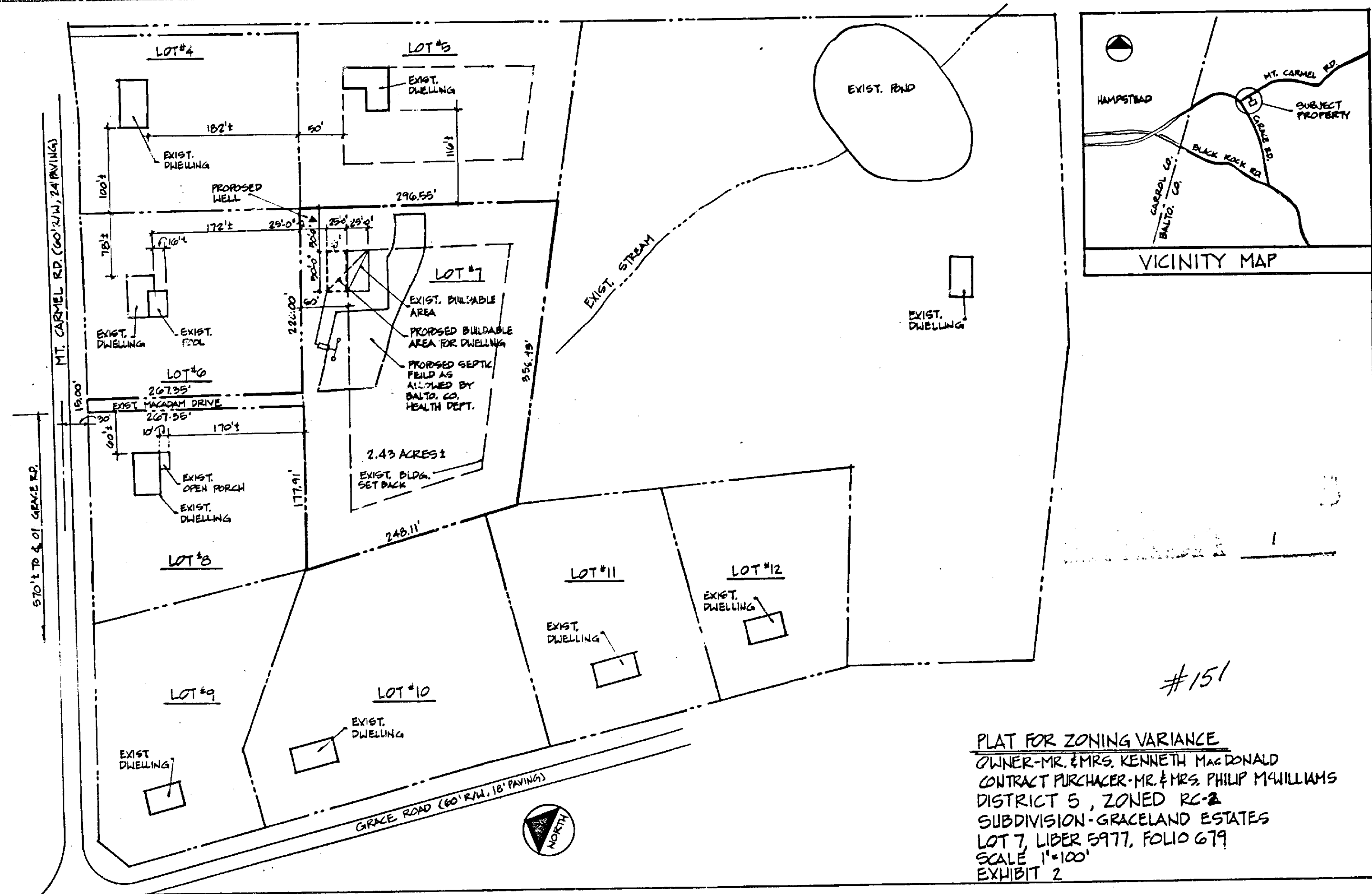
Address
Owners

4805 MT. CARMEL RD. HAMPSTEAD MD. 21074
JAMES P. CAMPBELL
Mary J. Campbell

LOT #8

Address
Owners

4809 MT. CARMEL RD HAMPSTEAD MD 21074
PENNY EDER
BOB EDER



MAP 104-28-1
 IF
 E.D. 5
 DATE 1-28-86
 200
 1000
 DP

Kenneth P. MacDonald, et ux
 4805 Mt. Carmel Rd., 570' E of Grace Rd.
 4805 Mt. Carmel Rd., 570' E of Grace Rd.
 4805 Mt. Carmel Rd., 570' E of Grace Rd.

86-265-A
 #151

86-265-A
 #151

86-265-A
 #151

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103-3 & 1A00.3B3 (RDP) To permit a set back to a lot line other than a street, of 25 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Refer to Attached Sheet - Exhibit 1

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
 Philip J. McWilliams, A.I.A.
 Carol S. McWilliams, A.I.A.
 Signature

Legal Owner(s):
 Kenneth P. MacDonald
 Signature

8408 Birchwood Road
 Address
 Baltimore, MD 21234
 City and State

Gene L. MacDonald
 (Type or Print Name)
 Signature

Attorney for Petitioner:

3900 Overlea Avenue
 (Type or Print Name)
 Address
 Baltimore, MD 21206
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be attached
 Philip J. McWilliams, A.I.A.
 City and State

Attorney's Telephone No.: 8408 Birchwood Road, Baltimore, MD 21234
 Address
 (301) 321-6760
 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of November, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of January, 1986, at 11:30 o'clock.

MICROFILMED
 (over)



BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204-2586
 494-4500

PAUL H. REINCKE
 CHIEF

November 21, 1985

Mr. Arnold Jablon
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee

Re: Property Owner: Kenneth P. MacDonald, et ux

Location: S/S Mt. Carmel Road (formerly Lower Beckleysville Road)

Item No.: 151 Zoning Agenda: Meeting of November 5, 1985

Citizens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
 Planning Group Fire Prevention Bureau
 Special Inspection Division

/mb

MICROFILMED



BALTIMORE COUNTY
 DEPARTMENT OF PERMITS & LICENSES
 TOWSON, MARYLAND 21204
 494-3610

December 6, 1985

TED ZALESKI, JR.
 DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
 Office of Planning and Zoning
 Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 151 Zoning Advisory Committee Meeting are as follows:

Property Owner: Kenneth P. MacDonald, et ux
 Location: S/S Mt. Carmel Road (formerly Lower Beckleysville Road)
 District: 5th.

APPLICABLE ITEMS ARE CIRCLED:

- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 87-85. The Maryland Code for the Handicapped and Aged (A.D.A., 42-101 - 1980) and other applicable Code and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.
- () Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use. See Section 215 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill 87-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
- J. Comments:

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 310 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Sumner
 By: C. E. Sumner, Chief
 Building Plans Section

4/22/86

MICROFILMED

ZONING DESCRIPTION:

Beginning at a point on the South Side of Mt. Carmel Road (formerly Lower Beckleysville Road) 570' + East of Grace Road and known as Lot 7 as shown on the plot of "Graceland Estates", which is recorded in the Land Records of Baltimore County in Liber 40, Folio 54, also known as 4805 Mt. Carmel Road in the 5th Election District.

EXHIBIT 1
 Petition for Zoning Variance
 Graceland Estates
 Lot 7

HARDSHIP DESCRIPTION:

A hardship in incurred due to the existing high water table conditions, which cause the proposed septic field to take on a configuration that limits the proposed buildable area to a 25' by 50' footprint with no building projections or possibilities for future expansion.

By reducing the front yard setback from 50' to 25', a large enough area would then be available to have a functional relationship between the garage and the dwelling. The garage cannot be open to the front property line as stated in the Development's Covenant Agreement; therefore, the access to the garage must be from the side.

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PETITION FOR VARIANCE

5th Election District

LOCATION: Southside of Mt. Carmel Road, 570 feet east of Grace Road (4805 Mt. Carmel Road)

DATE AND TIME: Monday, January 6, 1986 at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from Section 103-3 & 1A00.3B3 (RDP) to permit a set back to a lot line other than a street, of 25 feet in lieu of the required 50 feet.

Being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

MICROFILMED

RE: PETITION FOR VARIANCE
 S/S Mt. Carmel Rd., 570'
 E of Grace Rd., (4805 Mt.
 Carmel Rd.), 5th Dist.
 KENNETH P. MACDONALD,
 et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 86-265-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 11th day of December, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Kenneth P. MacDonald and Mrs. Gene L. MacDonald, 3900 Overlea Ave., Baltimore, MD 21206, Petitioners; and Philip J. McWilliams, A.I.A., and Carol S. McWilliams, 8408 Birchwood Road, Baltimore, MD 21234, Contract Purchasers.

Peter Max Zimmerman
 Peter Max Zimmerman

MICROFILMED



BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. HING
 DEPUTY ZONING COMMISSIONER

January 2, 1986

Mr. and Mrs. Kenneth P. MacDonald
 3900 Overlea Avenue
 Baltimore, Maryland 21206

Re: Petition for Variance
 S/S Mt. Carmel Road, 570' E of Grace Rd.
 (4805 Mt. Carmel Road)
 5th Election District
 Kenneth P. MacDonald, et ux. - Petitioners
 Case No. 86-265-A

Dear Mr. and Mrs. MacDonald:

This is to advise you that \$54.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the Office, Room 111, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 016190

DATE 1/6/86 ACCOUNT R-01-615-000

AMOUNT \$54.76

RECEIVED Philip J. McWilliams

FOR [Signature] R-01-615-000

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of January, 1986, that the herein Petition for Variance(s) to permit a setback to a lot line other than a street, of 25 feet in lieu of the required 50 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ:bg
cc: Mr. and Mrs. Kenneth P. MacDonald
Mr. and Mrs. Philip McWilliams
People's Counsel

ORDER RECEIVED FOR FILING
DATE January 7, 1986
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: December 12, 1985
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-263-A, 86-265-A, and 86-267-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JCH:salm

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 19, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 19, 1985.

THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising
22.00

PETITION FOR VARIANCE
5th Election District
LOCATION: Southwest of Mt. Carmel Road, 570' East of Grace Road (4805 Mt. Carmel Road).
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, January 6, 1986 at 11:30 a.m.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 1100-3 & 1400-363 (RDP) to permit a setback of lot line other than a street, of 25 feet in lieu of the required 50 feet, being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Dec. 19, 1985

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 11, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. Kenneth P. MacDonald
3900 Overlea Avenue
Baltimore, Maryland 21206

RE: Item No. 151 - Case No. 86-265-A
Petitioners - Kenneth P. MacDonald, et ux
Variance Petition

Dear Mr. and Mrs. MacDonald:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. Philip J. McWilliams, A.I.A.
8408 Birchwood Road
Baltimore, Maryland 21234

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
111 W. Chesapeake Avenue
Towson, Maryland 21204
410-321
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

DECEMBER 5, 1985

Re: Zoning Advisory Meeting of NOVEMBER 5, 1985
Item # 151 - Kenneth P. MacDonald, et ux
Location: 570' Mt. Carmel Rd. (Formerly
Lower Backleyville Rd.)

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group meeting is required.
- ☐ Forward by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Planning calculations must be shown on the plan.
- ☐ This property contains soils which are defined as wetlands, and construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on 1/15/86.
- ☐ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☐ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and as conditions change are re-evaluated annually by the County Council.
- ☐ Additional comments:

cc: James Howell

Eugene A. Soter
Chief, Current Planning and Development

PETITION FOR VARIANCE

5th Election District
LOCATION: Southwest of Mt. Carmel Road, 570' East of Grace Road (4805 Mt. Carmel Road).
DATE AND TIME: Monday, January 6, 1986 at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 1100-3 & 1400-363 (RDP) to permit a setback of lot line other than a street, of 25 feet in lieu of the required 50 feet, being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

86-265-A

APERS OF MARYLAND, INC.

Vol., Dec., 19, 1985

Annexed, Reg. #124083, P.O. #72332

SUBSCESSIONS/ISSUES/days/previous

is..... 1985..... in the

a daily newspaper published

inster, Carroll County, Maryland.

weekly newspaper published

in Baltimore County, Maryland.

weekly newspaper published

in Baltimore County, Maryland.

Per *[Signature]*

Mr. and Mrs. Kenneth P. MacDonald
3900 Overlea Avenue
Baltimore, Maryland 21206

December 6, 1985

NOTICE OF HEARING

Re: Petition for Variance
S/S Mt. Carmel Rd., 570' E of Grace Rd.
(4805 Mt. Carmel Rd.)
5th Election District
Kenneth P. MacDonald, et ux - Petitioners
Case No. 86-265-A

TIME: 11:30 a.m.

DATE: Monday, January 6, 1986 at 11:30 a.m.

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

E COUNTY, MARYLAND
FINANCE-REVENUE DIVISION
ILLANEOUS CASH RECEIPT

No. 012339

DATE: 12/15/85 ACCOUNT: R-01615-000

AMOUNT: \$5.00

RECEIVED FROM: Philip McWilliams

FOR: *[Signature]* #151

BY: Kenneth P. MacDonald

8 6015*****55.00 8218F

VALIDATION OR SIGNATURE OF CASHIER

Case No. 86-265-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of November, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioners: Kenneth P. MacDonald, et ux
Received by: *[Signature]*
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland 86-265-A

District: 5th Date of Posting: 12-12-85

Posted for: Variance

Petitioner: *[Signature]* Mac Donald, et ux

Location of property: S/S of Mt. Carmel Road, 570' E of

Grace Road (4805 Mt. Carmel Road)

Location of Signs: South side of Mt. Carmel Road, opposite S/S of

Grace Road, on each side of 4805 Mt. Carmel Road

Remarks:

Posted by: *[Signature]* Date of return: 12-26-85

Number of Signs: 4

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Dec. 19, 1985

THIS IS TO CERTIFY that the annexed Reg. #124083, P.O. #72332 was published for on (1) successive weeks/days/previous to the 19th day of December, 1985 in the

- ☐ Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
- ☐ Randalltown News, a weekly newspaper published in Baltimore County, Maryland.
- ☒ Community Times, a weekly newspaper published in Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Per *[Signature]*

APR 20 1987

EXHIBIT 3
PETITION FOR ZONING VARIANCE
GRACELAND ESTATES
LOT 7

We the undersigned, and Owners of Lots #4, #5, #6 and #8 of Graceland Estates, Baltimore County, do hereby approve of the proposal which decreases the fifty foot set back to a twenty-five foot set back in the front yard of Lot #7. We understand that this set back change is being petitioned as a zoning variance and do not protest it.

LOT #4

Address
Owners

4801 MT. CARMEL RD. HAMPSTEAD MD 21074
JANET R. SMITH
KENNETH A. SMITH

LOT #5

Address
Owners

4125 MT. Carmel Rd. Hampstead MD 21074
Stanley J. Bye Anna May Bye

LOT #6

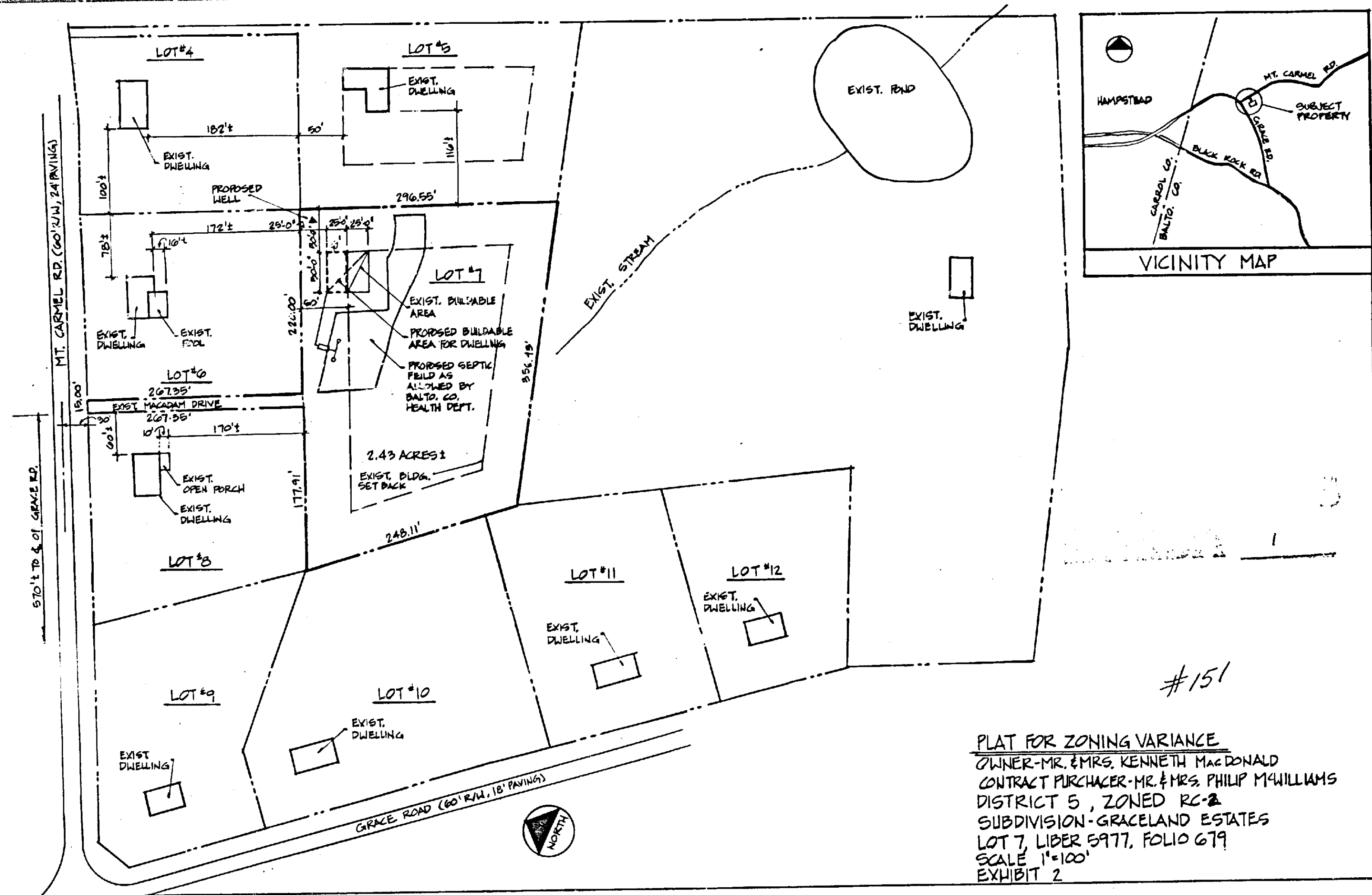
Address
Owners

4805 MT. CARMEL RD. HAMPSTEAD MD. 21074
JAMES P. CAMPBELL
MARY J. CAMPBELL

LOT #8

Address
Owners

4809 MT. CARMEL RD HAMPSTEAD MD 21074
PENNY EDER
BOB EDER



MAP 104-28-1
 IF
 E.D. 5
 DATE 1-28-86
 200
 1000
 DP

Kenneth P. MacDonald, et ux
 4805 Mt. Carmel Rd., 570' E of Grace Rd.
 4805 Mt. Carmel Rd., 570' E of Grace Rd.
 4805 Mt. Carmel Rd., 570' E of Grace Rd.

86-265-A
 #151

86-265-A
 #151

86-265-A
 #151

PETITION FOR ZONING VARIANCE
 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
 The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103-3 & 1A00.3B3 (RDP) To permit a set back to a lot line other than a street, of 25 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Refer to Attached Sheet - Exhibit 1

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Philip J. McWilliams, A.I.A.
 Carol S. McWilliams, A.I.A.
 Signature: *Philip J. McWilliams*
 8408 Birchwood Road
 Address: Baltimore, MD 21234
 City and State: Baltimore, MD 21234

Legal Owner(s): Kenneth P. MacDonald
 Signature: *Kenneth P. MacDonald*
 Name: Gene L. MacDonald
 (Type or Print Name)
 Signature: *Gene L. MacDonald*

Attorney for Petitioner: 3900 Overlea Avenue, 426-0479
 (Type or Print Name) Address Phone No.
 Baltimore, MD 21206
 City and State: Baltimore, MD 21206
 Name, address and phone number of legal owner, contract purchaser or representative to be attached
 Philip J. McWilliams, A.I.A.
 City and State: Baltimore, MD 21234

Attorney's Telephone No.: 8408 Birchwood Road, Baltimore, MD 21234
 Address Phone No.
 (301) 321-6760

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of November, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of January, 1986, at 11:30 o'clock.

MICROFILMED (over)

BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204-2586
 494-4500
 PAUL H. REINCKE
 CHIEF
 November 21, 1985
 Mr. Arnold Jablon
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204
 Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee
 Re: Property Owner: Kenneth P. MacDonald, et ux
 Location: S/S Mt. Carmel Road (formerly Lower Beckleysville Road)
 Item No.: 151 Zoning Agenda: Meeting of November 5, 1985
 Gentlemen:
 Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
 Planning Group Fire Prevention Bureau
 Special Inspection Division
 /mb

MICROFILMED

BALTIMORE COUNTY
 DEPARTMENT OF PERMITS & LICENSES
 TOWSON, MARYLAND 21204
 494-3610
 December 6, 1985
 TED ZALESKI, JR.
 DIRECTOR
 Mr. Arnold Jablon, Zoning Commissioner
 Office of Planning and Zoning
 Towson, Maryland 21204
 Dear Mr. Jablon:
 Comments on Item # 151 Zoning Advisory Committee Meeting are as follows:
 Property Owner: Kenneth P. MacDonald, et ux
 Location: S/S Mt. Carmel Road (formerly Lower Beckleysville Road)
 District: 5th.
 APPLICABLE ITEMS ARE CIRCLED:
 1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 87-85. The Maryland Code for the Handicapped and Aged (A.D.A., 21-101 - 1980) and other applicable Code and Standards.
 2. A building and other miscellaneous permits shall be required before the start of any construction.
 3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
 4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
 5. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
 6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
 7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
 8. When filing for a required Change of Use/occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use. See Section 215 of the Building Code.
 9. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill 87-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.
 10. Comments:
 11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 117 of the County Office Building at 310 Chesapeake Avenue, Towson, Maryland 21204.
 Charles E. Sunkin
 By: C. E. Sunkin, Chief
 Building Plans Section

MICROFILMED

ZONING DESCRIPTION:

Beginning at a point on the South Side of Mt. Carmel Road (formerly Lower Beckleysville Road) 570' + East of Grace Road and known as Lot 7 as shown on the plot of "Graceland Estates", which is recorded in the Land Records of Baltimore County in Liber 40, Folio 54, also known as 4805 Mt. Carmel Road in the 5th Election District.

EXHIBIT 1
 Petition for Zoning Variance
 Graceland Estates
 Lot 7

HARDSHIP DESCRIPTION:

A hardship in incurred due to the existing high water table conditions, which cause the proposed septic field to take on a configuration that limits the proposed buildable area to a 25' by 50' footprint with no building projections or possibilities for future expansion.

By reducing the front yard setback from 50' to 25', a large enough area would then be available to have a functional relationship between the garage and the dwelling. The garage cannot be open to the front property line as stated in the Development's Covenant Agreement; therefore, the access to the garage must be from the side.

MICROFILMED

PETITION FOR VARIANCE
5th Election District

LOCATION: Southside of Mt. Carmel Road, 570 feet east of Grace Road (4805 Mt. Carmel Road)

DATE AND TIME: Monday, January 6, 1986 at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from Section 103-3 & 1A00.3B3 (RDP) to permit a set back to a lot line other than a street, of 25 feet in lieu of the required 50 feet.

Being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
 ARNOLD JABLON
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

MICROFILMED

RE: PETITION FOR VARIANCE
 S/S Mt. Carmel Rd., 570'
 E of Grace Rd., (4805 Mt.
 Carmel Rd.), 5th Dist.
 KENNETH P. MACDONALD,
 et ux, Petitioners

: BEFORE THE ZONING COMMISSIONER
 : OF BALTIMORE COUNTY
 : Case No. 86-265-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
 Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel
 Room 223, Court House
 Towson, MD 21204
 494-2188

I HEREBY CERTIFY that on this 11th day of December, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Kenneth P. MacDonald and Mrs. Gene L. MacDonald, 3900 Overlea Ave., Baltimore, MD 21206, Petitioners; and Philip J. McWilliams, A.I.A., and Carol S. McWilliams, 8408 Birchwood Road, Baltimore, MD 21234, Contract Purchasers.

Peter Max Zimmerman
 Peter Max Zimmerman

MICROFILMED

BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 494-3353

ARNOLD JABLON
 ZONING COMMISSIONER
 JUAN M. H. HANG
 DEPUTY ZONING COMMISSIONER

January 2, 1986

Mr. and Mrs. Kenneth P. MacDonald
 3900 Overlea Avenue
 Baltimore, Maryland 21206

Re: Petition for Variance
 S/S Mt. Carmel Road, 570' E of Grace Rd.
 (4805 Mt. Carmel Road)
 5th Election District
 Kenneth P. MacDonald, et ux. - Petitioners
 Case No. 86-265-A

Dear Mr. and Mrs. MacDonald:

This is to advise you that \$54.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the Office, Room 111, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 016190
 DATE 1/6/86 ACCOUNT R-01-615-000
 AMOUNT \$54.76
 RECEIVED BY *Philip J. McWilliams*
 FOR *Advertising and Posting Fee #86-265-A*
 B *****
 VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of January, 1986, that the herein Petition for Variance(s) to permit a setback to a lot line other than a street, of 25 feet in lieu of the required 50 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

AJ:bg
cc: Mr. and Mrs. Kenneth P. MacDonald
Mr. and Mrs. Philip McWilliams
People's Counsel

ORDER RECEIVED FOR FILING
DATE January 7, 1986
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: December 12, 1985
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-263-A, 86-265-A, and 86-267-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JCH:salm

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 19, 1985
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 19, 1985.

THE JEFFERSONIAN,

Cost of Advertising
22.00

PETITION FOR VARIANCE
5th Election District
LOCATION: Southwest of Mt. Carmel Road, 570' East of Grace Road (4805 Mt. Carmel Road).
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, January 6, 1986 at 11:30 a.m.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 1100-3 & 1400-363 (RDF) to permit a setback of 25 feet in lieu of the required 50 feet, being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Dec. 19, 1985

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 11, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. and Mrs. Kenneth P. MacDonald
3900 Overlea Avenue
Baltimore, Maryland 21206

RE: Item No. 151 - Case No. 86-265-A
Petitioners - Kenneth P. MacDonald, et ux
Variance Petition

Dear Mr. and Mrs. MacDonald:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Mr. Philip J. McWilliams, A.I.A.
8408 Birchwood Road
Baltimore, Maryland 21234

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
111 W. Chesapeake Avenue
Towson, Maryland 21204
410-321
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

DECEMBER 5, 1985

Re: Zoning Advisory Meeting of NOVEMBER 5, 1985
Item # 151 - Kenneth P. MacDonald, et ux
Location: 570' Mt. Carmel Rd. (Formerly
Lower Backleyville Rd.)

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group meeting is required.
- () Forward by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Planning calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on []
- () Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is []
- () The property is located in a traffic area controlled by a "g" level intersection as defined by Bill 173-79, and as conditions change are re-evaluated annually by the County Council.
- () Additional comments:

cc: James Howell

Eugene A. Soter
Chief, Current Planning and Development

PETITION FOR VARIANCE

5th Election District
LOCATION: Southwest of Mt. Carmel Road, 570' East of Grace Road (4805 Mt. Carmel Road).
DATE AND TIME: Monday, January 6, 1986 at 11:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance from Section 1100-3 & 1400-363 (RDF) to permit a setback of 25 feet in lieu of the required 50 feet, being the property of Kenneth P. MacDonald, et ux as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
BY ORDER OF:
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

86-265-A

APERS OF MARYLAND, INC.

Vol., Dec., 19, 1985
Annexed, Reg. # 124083, P.O. # 72332
SUSPENSE/NEWSPAPERS/days/previous
i.e., 1985, in the

a daily newspaper published in
Carroll County, Maryland.
a weekly newspaper published in
Baltimore County, Maryland.
a weekly newspaper published in
Baltimore County, Maryland.

Per *[Signature]*

Mr. and Mrs. Kenneth P. MacDonald
3900 Overlea Avenue
Baltimore, Maryland 21206

December 6, 1985

NOTICE OF HEARING

Re: Petition for Variance
S/S Mt. Carmel Rd., 570' E of Grace Rd.
(4805 Mt. Carmel Rd.)
5th Election District
Kenneth P. MacDonald, et ux - Petitioners
Case No. 86-265-A

TIME: 11:30 a.m.

DATE: Monday, January 6, 1986 at 11:30 a.m.

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

E COUNTY, MARYLAND
FINANCE-REVENUE DIVISION
ILLANEOUS CASH RECEIPT

No. 012339

DATE: 12/15/85 ACCOUNT: R-01615-000

AMOUNT: \$5.00

RECEIVED FROM: Philip McWilliams

FOR: *[Signature]* #151

BY: Kenneth P. MacDonald

VALIDATION OR SIGNATURE OF CASHIER

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Dec., 19, 1985

THIS IS TO CERTIFY that the annexed Reg. # 124083, P.O. # 72332 was published for [] successive weeks/days/previous to the [] day of December, 1985, in the

- ☐ Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
- ☐ Randalltown News, a weekly newspaper published in Baltimore County, Maryland.
- ☒ Community Times, a weekly newspaper published in Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Per *[Signature]*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 5th
Petition for: Variance
Petitioner: Kenneth P. MacDonald, et ux
Location of property: S/S of Mt. Carmel Road, 570' E of Grace Road (4805 Mt. Carmel Road)

Location of Signs: South side of Mt. Carmel Road, opposite S/S of Grace Road, near front of 4805 Mt. Carmel Road

Remarks: []
Posted by: *[Signature]*
Number of Signs: []

Date of return: 12-26-85

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of November, 1985.

ARNOLD JABLON
Zoning Commissioner

Petitioners: Kenneth P. MacDonald, et ux
Petitioner's Attorney: *[Signature]*
Received by: *[Signature]*
Chairman, Zoning Plans Advisory Committee

EXHIBIT 3
PETITION FOR ZONING VARIANCE
GRACELAND ESTATES
LOT 7

We the undersigned, and Owners of Lots #4, #5, #6 and #8 of Graceland Estates, Baltimore County, do hereby approve of the proposal which decreases the fifty foot set back to a twenty-five foot set back in the front yard of Lot #7. We understand that this set back change is being petitioned as a zoning variance and do not protest it.

LOT #4

Address
Owners

4801 MT. CARMEL RD. HAMPSTEAD MD 21074
JANET R. SMITH
KENNETH A. SMITH

LOT #5

Address
Owners

4125 MT. Carmel Rd. Hampstead MD 21074
Stanley J. Bye Anna May Bye

LOT #6

Address
Owners

4805 MT. CARMEL RD. HAMPSTEAD MD. 21074
JAMES P. CAMPBELL
Mary J. Campbell

LOT #8

Address
Owners

4809 MT. CARMEL RD HAMPSTEAD MD 21074
PENNY EDER
BOB EDER

